

** NOT FOR PRINTED PUBLICATION **

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

UNITED STATES OF AMERICA,

§

Plaintiff,

§

CIVIL ACTION No. 9-14-CV-138

v.

§

JUDGE RON CLARK

JOHN PARKS TROWBRIDGE, et al.,

§

Defendants.

§

**ORDER DENYING WITHOUT PREJUDICE UNITED STATES' REQUEST FOR
ENTRY OF DEFAULT JUDGMENT**

Before the court is Plaintiff United States' Request for Entry of Default Judgment.

[Doc. # 14]. Plaintiff seeks a default judgment against Defendants Bright Future Investments, Inc. and Ideal Abilities. Entry of default judgment is a two-step process that first requires the clerk to enter a default. Fed. R. Civ. P. 55(a). Once a default has been entered, a party may seek default judgment, pursuant to Fed. R. Civ. P. 55(b). *See New York Life Ins. Co. v. Brown*, 84 F.3d 137, 141 (5th Cir. 1996). There is nothing in the record to indicate that Plaintiff has sought, or been granted, an entry of default against either Defendant Bright Future Investments or Defendant Ideal Abilities. Plaintiff cannot seek a default judgment under Fed. R. Civ. P. 55(b) without first receiving an entry of default under Fed. R. Civ. P. 55(a).

IT IS THEREFORE ORDERED that is Plaintiff United States' Request for Entry of Default Judgment [Doc. # 14] is DENIED WITHOUT PREJUDICE.

So ORDERED and SIGNED this 20 day of November, 2014.



Ron Clark, United States District Judge